

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 29TH MARCH 2007 / 8TH CHAITHRA 1929

Bail Appl..No. 1926 of 2007()

O.R.2/2007 OF FOREST RANGE OFFICE, OTTAPPALAM

: PETITIONERS

1. SREEJAYAN, S/O.SREEDHARAN,
PALUTHODI HOUSE, MAMPATTAPADY,
KAILIYAD, PALAKKAD DISTRICT.
2. ABDU RAHIMAN @ HYDRU,
S/O.MUHAMMED HAJI, KUNNATH HOUSE,
KANAYAM, SHORNUR, PALAKKAD DISTRICT.
3. K.UMMER, S/O.MUHAMMED HAJI,
KUNNATH HOUSE, KANAYAM, SHORNUR,
PALAKKAD DISTRICT.

BY ADV. SRI.BABU S. NAIR

RESPONDENTS: STATE

THE STATE OF KERALA, REPRESENTED
BY THE FOREST RANGE OFFICER, OTTAPALAM FOREST
RANGE-THROUGH THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, KOCHI-31.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 29/03/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

V.RAMKUMAR, J.

Bail Application No. 1926/2007

Dated this 29th day of March, 2007

O R D E R

The petitioners, three in number, seek anticipatory bail on the allegation that the Forest Range Officer, Ottappalam is about to arrest the petitioners in connection with O.R.No.2/2007 registered for an offence punishable under Section 27 of the Kerala Forest Act.

2. The learned Public Prosecutor, on instructions, submitted that as per Annexure-A notice issued under Section 160 Cr.P.C., the Forest Range Officer wanted to record the statement of the petitioners being persons acquainted with the facts of the case and that the petitioners are not accused in the above case. It cannot be said that the Forest Range Officer who conducts investigation into an offence is not entitled to summon any person acquainted with the facts of the case for the purpose of recording his statement under Section 160 Cr.P.C. If so, the apprehension of arrest entertained by the petitioners is unfounded.

3. This application is closed recording the submission made by the learned Public Prosecutor.

**V.RAMKUMAR,
JUDGE**

mrCS

